



1995 ASSEMBLY BILL 329

April 21, 1995 - Introduced by Representatives ZUKOWSKI, HAHN, OWENS, GRONEMUS, BRANDEMUEHL, RYBA, AINSWORTH, ALBERS, SERATTI, FREESE and GROTHMAN. Referred to Committee on Natural Resources.

1 **AN ACT to renumber and amend** 29.598 (7) (d) 1. and 29.598 (7) (d) 2.; **to amend**
2 20.370 (4) (gb) and 29.598 (7) (b) 2.; and **to create** 29.598 (7) (b) 2m., 29.598 (7)
3 (f) and 29.598 (7m) (c) of the statutes; **relating to:** wildlife damage abatement
4 assistance and wildlife damage claim payments for wildlife damage done to
5 apiaries and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, 2 programs under the department of natural resources provide financial assistance to landowners for damage done by deer, bear or geese to agricultural crops, livestock, nursery stock or apiaries. The wildlife damage abatement program reimburses landowners who take certain wildlife damage abatement measures such as erecting wire deer fences. The wildlife damage claim program provides damage payments of up to \$5,000. Funding for these programs comes from the wildlife damage surcharge imposed on most hunting licenses.

Under current law, a person seeking either abatement assistance or claim payments must open the land on which the damage occurred to hunting by the public. Under this bill, the person is not subject to this requirement if the wildlife damage that occurred is damage to apiaries and if the person does not have authority to allow hunting on the land. Also under the bill, the damage payments for apiaries are limited to \$100 per hive or \$5,000, whichever is less. The bill provides funding for damage to apiaries from general purpose revenues and not from the wildlife damage surcharge revenues.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.370 (4) (gb) of the statutes is amended to read:

2 20.370 (4) (gb) *Wildlife damage claims — general fund.* From the general fund,
3 the amounts in the schedule to provide state aid to make wildlife damage claim
4 payments under s. 29.598 (7) ~~(d) for calendar year 1990~~ (f).

5 **SECTION 2.** 29.598 (7) (b) 2. of the statutes is amended to read:

6 29.598 (7) (b) 2. ~~No~~ For wildlife damage not covered under subd. 2m., no person
7 may receive a payment in excess of the actual amount of the wildlife damage or
8 \$5,000, whichever is less.

9 **SECTION 3.** 29.598 (7) (b) 2m. of the statutes is created to read:

10 29.598 (7) (b) 2m. For wildlife damage to apiaries, no person may receive a
11 payment of more than \$100 for each hive damaged or \$5,000, whichever is less.

12 **SECTION 4.** 29.598 (7) (d) 1. of the statutes is renumbered 29.598 (7) (d) and
13 amended to read:

14 29.598 (7) (d) *State aid.* Except as provided under ~~subd. 2. pars. (e) and (f)~~, the
15 department shall pay participating counties the full amount of wildlife damage claim
16 payments made in accordance with par. (b) and funding requirements adopted under
17 sub. (2) (b) on June 1 of the calendar year after the calendar year in which the
18 statement of claims were filed.

19 **SECTION 5.** 29.598 (7) (d) 2. of the statutes is renumbered 29.598 (7)(e) and
20 amended to read:

1 29.598 (7) (e) (title) *Funding*. The department shall pay participating counties
2 under subd. 1. par. (d) from the appropriation under s. 20.370 (4) (gb) and from the
3 ~~appropriation~~ under s. 20.370 (4) (gq), except for wildlife damage claim payments
4 made under par. (f). The department shall pay participating counties for wildlife
5 damage claim payments, other than the payments under par. (f), after first deducting
6 from s. 20.370 (4) (gq) payments made for county administrative costs under sub. (2)
7 (d) and payments made for wildlife damage abatement assistance under sub. (5) (c).
8 If the amount ~~in the appropriation under s. 20.370 (4) (gb) and the amount~~ remaining
9 after these deductions from the appropriation under s. 20.370 (4) (gq) ~~are~~ is not
10 sufficient to pay the full amount required ~~under subd. 1. for these wildlife damage~~
11 claim payments, the department shall pay participating counties on a prorated basis.

12 **SECTION 6.** 29.598 (7) (f) of the statutes is created to read:

13 29.598 (7) (f) *Funding; apiary damage*. The department shall pay participating
14 counties wildlife damage claim payments for wildlife damage to apiaries from the
15 appropriation under s. 20.370 (4) (gb). If the amount under that appropriation is not
16 sufficient to pay the full amount required for wildlife damage to apiaries, the
17 department shall pay participating counties on a prorated basis.

18 **SECTION 7.** 29.598 (7m) (c) of the statutes is created to read:

19 29.598 (7m) (c) *Exemption*. The requirement to allow hunting under par. (a)
20 does not apply to a person seeking wildlife damage abatement assistance or wildlife
21 damage claim payments if the person does not have authority to control entry on the
22 land that is subject to that requirement and if the damage on the land is damage to
23 apiaries.

24 **SECTION 8. Appropriation changes.**

